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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 RAUL ARELLANO,

Plaintiff,

12 v.
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14 R. OLSON,


Defendant.
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Case No.: 15-cv-2300-AJB-LL

**ORDER DENYING PLAINTIFF RAUL
ARELLANO'S MOTION FOR LEAVE
TO FILE A MOTION FOR
RECONSIDERATION (Doc. No. 93)**
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1 On September 23, 2019, the Court issued an order adopting the Magistrate Judge's
2 Report and Recommendation, granting Defendant R. Olson's motion for summary
3 judgment, and dismissing Plaintiff Raul Arellano's ("Plaintiff") Second Amended
4 Complaint. (Doc. No. 82.) On October 18, 2019, Plaintiff filed a Notice of Appeal to the
5 United States Court of Appeals for the Ninth Circuit, appealing this Court's September 23,
6 2019 order. (Doc. No. 88.) On November 7, 2019, Plaintiff filed a motion for leave to file
7 a motion for reconsideration of the Court's September 23, 2019 order. (Doc. No. 93.)
8 However, appearing that Plaintiff filed a Notice of Appeal of the same order Plaintiff seeks
9 to have reconsidered, the Court concludes that it lacks jurisdiction to consider Plaintiff's
10 motion for reconsideration. *See Morris v. Morgan Stanley & Co.*, 942 F.2d 648, 654 (9th
11 Cir. 1991) (stating that district courts lack jurisdiction after notice of appeal is filed).
12 Accordingly, Plaintiff's motion for leave to file a motion for reconsideration is **DENIED**.
13 **IT IS SO ORDERED.**

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15 Dated: December 11, 2019


16 Hon. Anthony J. Battaglia
17 United States District Judge
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